

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

	:	Civil Action No. 07-3207(FLW)
	:	
MDS, INC. et al.	:	
	:	
Plaintiff,	:	ORDER OF DISMISSAL
	:	
	:	
v.	:	
	:	
COVANCE, INC.	:	
Defendant.	:	
	:	
	:	

It having been reported to the Court that the above-captioned action has been settled, and that the request for an order of dismissal is not based upon a desire to adjourn or delay the proceedings herein;

IT IS on this 28TH day of February, 2008;

ORDERED THAT:

(1) This action is hereby DISMISSED without costs and without prejudice to the right, upon motion and good cause shown, within 60 days, to reopen this action if the settlement is not consummated; and

(2) If any party shall move to set aside this Order of Dismissal as provided in the first paragraph or pursuant to the provisions of Fed. R. Civ. P. 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties. All pending motions are dismissed as moot.

s/Freda L. Wolfson
Freda L. Wolfson
United States District Judge